

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES T. RODGERS,

Plaintiff,

No. CIV S-05-0850 DFL PAN P

vs.

JOANNE HENDRICKS, et al.,

Defendants.

ORDER

On February 27, 2006, the court gave plaintiff thirty days to file an opposition to defendant's November 20, 2005, motion to dismiss. Plaintiff has responded explaining he was unaware of a motion to dismiss filed that date but he would oppose any motion defendant Hendricks made.

Defendant Hendricks filed a motion to dismiss on September 20, 2005.

Good cause appearing, IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to send plaintiff a copy of the September 20, 2005 motion to dismiss.

2. Plaintiff has thirty days from the date this order is filed to file an opposition, if any, to the motion to dismiss filed September 20, 2005. As explained in the February 27, 2006,

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1 order, failure to file an opposition will be deemed a statement of non-opposition and shall result
2 in a recommendation that this action be dismissed pursuant Federal Rule of Civil Procedure
3 41(b).

4 DATED: April 19, 2006.

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7 UNITED STATES MAGISTRATE JUDGE

8 \004
9 \460SC JFM (2)